

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 MARC SPITZER, Chairman
4 WILLIAM A. MUNDELL
5 JEFF HATCH-MILLER
6 MIKE GLEASON
7 KRISTIN K. MAYES

8 IN THE MATTER OF THE APPLICATION OF
9 ARIZONA PUBLIC SERVICE COMPANY FOR A
10 HEARING TO DETERMINE THE FAIR VALUE
11 OF THE UTILITY PROPERTY OF THE
12 COMPANY FOR RATEMAKING PURPOSES, TO
13 FIX A JUST AND REASONABLE RATE OF
14 RETURN THEREON, TO APPROVE RATE
15 SCHEDULES DESIGNED TO DEVELOP SUCH
16 RETURN, AND FOR APPROVAL OF
17 PURCHASED POWER CONTRACT.

DOCKET NO. E-01345A-03-0437

PROCEDURAL ORDER

18 **BY THE COMMISSION:**

19 Pursuant to Procedural Order issued April 29, 2004, the procedural schedule and discovery in
20 this matter was temporarily stayed in order to allow the parties to participate in settlement
21 discussions. A procedural conference was scheduled for May 26, 2004 in order to determine whether
22 the stay should be extended.

23 On May 26, 2004, the procedural conference was held as scheduled. The parties updated the
24 Commission on the status of the discussions, and indicated that further time for discussion was
25 desirable. No party objected to the extension of the stay. Accordingly, the stay of the procedural
26 schedule and discovery in this matter shall remain in effect until at least June 14, 2004, at which time
27 another procedural conference will be held.

28 IT IS THEREFORE ORDERED that the stay of the procedural schedule and discovery in this
matter is extended until at least June 14, 2004, in order to allow the parties to continue to participate
in settlement discussions.

IT IS FURTHER ORDERED that a procedural conference shall be held on June 14, 2004
beginning at 1:30 p.m. or as soon thereafter as is practical, at the Commission's office, 1200 W.

Washington Street, Phoenix, Arizona for the purpose of determining whether the stay should be extended.¹

IT IS FURTHER ORDERED that at any time prior to the June 14, 2004 procedural conference, any party may request an earlier procedural conference if that party believes that no meaningful progress in settlement discussions has been or can be made.

IT IS FURTHER ORDERED that the Ex Parte Rule (A.A.C. R14-3-113-Unauthorized Communications) continues to apply to this proceeding.

IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

DATED this ____ day of May, 2004.

LYN FARMER
CHIEF ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered
this ____ day of May, 2004 to:

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